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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,040	03/02/2004	Kenichi Ao	01-561	9741

23400 7590 03/20/2006

POSZ LAW GROUP, PLC  
12040 SOUTH LAKES DRIVE  
SUITE 101  
RESTON, VA 20191

EXAMINER

AURORA, REENA

ART UNIT	PAPER NUMBER
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2862

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/790,040

Applicant(s)

AO, KENICHI

Examiner

Reena Aurora

Art Unit

2862

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 - 3, 6 and 15 - 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 6 and 16 - 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/10/06, 12/21/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This communication is in response to amendment received on 01/10/06.

The applicant has canceled claims 4 – 5 and 7 – 14.

The applicant has added claims 15 – 17.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 62-201957 in view of JP 04284609.

As to claims 1 – 3, JP 62-201957 (hereinafter JP'957) discloses a mold-type magnetic resistance element as detecting sensor including a magnetic sensor chip (2, fig. 1); a chip mounting member (1) on which the magnetic sensor chip (2) is mounted at a mounting position; an adhesive material (5, fig. 3) for bonding the magnetic sensor chip (2) to the chip mounting member (1) and an encapsulating material (4, fig. 1 and 2) for encapsulating the magnetic sensor chip (2). JP'957 fails to show a magnetic-field generating portion formed by magnetizing the encapsulating material. JP 04284609 (hereinafter JP'609) discloses a chip inductor wherein a magnetic substance is formed by kneading a magnetically soft substance powder with a thermostat resin. Therefore it

would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device of JP'957 with the teachings of JP'609 such that magnetizing the encapsulated material would provide an increased surface of the magnetic field generating portion.

As to claim 6, JP'957 discloses a mold-type magnetic resistance element as detecting sensor including a magnetic sensor chip (2, fig. 1); a chip mounting member (1), for mounting the magnetic sensor chip (2) thereon; a magnetized adhesive material (5, 6) for bonding the magnetic sensor chip (2) to the chip mounting member (1); and an encapsulating material (4) for encapsulating the magnetic sensor chip (2) therein. JP'957 fails to show a magnetic-field generating portion formed by magnetizing the encapsulating material. JP 04284609 (hereinafter JP'609) discloses a chip inductor wherein a magnetic substance is formed by kneading a magnetically soft substance powder with a thermostat resin. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device of JP'957 with the teachings of JP'609 such that magnetizing the encapsulated material would provide an increased surface of the magnetic field generating portion.

Claims 16 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 62-201957 in view of JP 04284609 as applied to claim 1 above, and further in view of JP 10270160.

As to claims 16 and 17, JP'957 and JP'609 discloses all the limitations of claim 16 except that JP'957 and JP'609 fails to disclose that the encapsulating material is made of a mixture of heat-resistant resin and magnetic powder. JP 10270160

(hereinafter JP'160) discloses a casing made of heat resistant resin and magnetic powder (Note Abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the device of JP'957 and JP'609 with the teachings of JP'160 such that making the encapsulating material with a mixture of heat-resistant resin and magnetic powder would prevent the deformation of the encapsulating material in high temperature.

***Allowable Subject Matter***

Claim 15 is allowed.

***Response to Arguments***

Applicant's arguments with respect to claims 1 –3, 6 and 15 - 17 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reena Aurora whose telephone number is 571-272-2263. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, E. Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2862

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Reena Aurora', is positioned above the printed name.

Reena Aurora